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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,999	04/24/2000	Roy Mickos	930.307US01	7677
32294	7590	07/07/2006	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P.			PHAM, BRENDA H	
14TH FLOOR			ART UNIT	
8000 TOWERS CRESCENT			PAPER NUMBER	
TYSONS CORNER, VA 22182			2616	

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/557,999

Applicant(s)

MICKOS ET AL.

Examiner

Brenda Pham

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,6-20 and 24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6, 11-20 is/are rejected.
- 7) ☐ Claim(s) 7-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claim 1, 2, 6-20 and 24 are pending in this application.
2. Applicant's arguments with respect to claims 1, 19, 20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

3. Claims 1, 6, 7, 15, 19 and 20 are objected to because of the following informalities: terminology "is arranged to" should be deleted from claims. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. Claim 6 recites the limitation "wherein a gatekeeper element" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 1, 2, 6, 11, 16, 19 and 20 are rejected under 35 USC 102(e) as being anticipated by KIM et al (US 6,519,235 B1).

Regarding claims 1, 19, 20, KIM et al disclose a communication system comprising (referring to figure 2): a subsystem connected to a network, the network having a first part (wireless) and a second part (Internet), the first and second parts being connected so that a first user (MS 10) in one of the wireless part can communicate with a second user connected to the Internet part of network, wherein at least the first user is able to move within the respective part of the system (see figure 2), the subsystem further comprising a gateway (15, 16 and 19) for permitting communications between the first (wireless) and second parts (Internet), the gateway comprising a register for storing information associating the first and second users and for storing information relating to the current location of the first user so that information from the second user can be directed to first user, wherein the first user is a mobile terminal (10) which is in communication with a base station (13) which is coupled to a respective network element (14) and information relating to the said identity of the network element is stored in the register as the current location information of the first user and an identifier allocated in the network element which is arranged to receive communications intended for the first user is stored in the register (see figure 5 and column 4-6).

Claim 2, KIM et al further teach wherein when the location of the first user changes, the information relating to the new location is stored in the register of the gateway (column 6, lines 4-19).

{“if a certain mobile station moves into the region of a new RNC and a handoff is generated (S42) in a state that the upper layer data is transmitted using the packet router (S41), the previous RNC instructs the MSC/LR a handoff utilizing the network identification addresses IMSI and MIMSI of the previous RNC (S43). Then, the mobile switching center MSC/LR instructs the PDGN a handoff utilizing IMSI and a network node identifier (NNID) (S44). The PDGN inquiry for performing the handoff utilizing TDID to the new RNC (S45). The new RNC informs the PDGN of the network identification address IMSI of the new RNC and the terminal node identifier TNID (S46). Accordingly, the upper layer packet data is transmitted using the packet router between the new RNC and the PDGN (S47) (column 6, lines 4-19).}

Regarding claim 6, KIM et al teach wherein a gatekeeper element (included in gateway) control the updating of the register and the handover of the first user between base stations and their respective network element (column 6, lines 4-19)

Regarding claim 11, KIM et al further teaches wherein the system uses the internet protocol (column 4, lines 54-58).

Claim 16, KIM et al teaches wherein the second user is a fixed user (second user connected to Internet).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over KIM et al (US 6,519,235 B1) in view of RAMASUBRAMANI et al (US 6,507,589 B1).

Regarding claims 12-15, as explained in the rejection statement of claim 1 (parent claim), KIM et al disclose all the claim features of claim 1. KIM et al does not teach wherein said register stores source and destination ports and addresses and wherein at least one of the source and destination addresses and ports are of an intermediate network element between said gateway and a user.

RAMASUBRAMANI et al, in the same field of endeavor, teach a port and address table included in the network gateway. The address and ports are of an intermediate network element between gateway and a user (see figure 21 and col. 24, lines 42-55).

Therefore, it would have been obvious to those having ordinary skill in the art at the time of the invention was made to implement a routing table in the gateway in KIM et al for routing the message to the destination.

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9. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over KIM et al (US 6,519,235 B1) in view of GENTRY et al (US 6,888,803 B1).

Regarding claims 17 and 18, Although KIM et al does not teach wherein said second user operates in accordance with the H.323 protocol and wherein said first user operates in accordance with the GSM standard. It is well known in the art to use H.323 protocol in the packet data network and the GSM in wireless communication system.

GENTRY et al, in the same field of endeavor, also teach these claimed features. See column 7, lines 4-13 and column 6, lines 39-50).

It would have been obvious to those having ordinary skill in the art at the time of the invention was made to utilize H.323 protocol and GSM standard in KIM et al.

#### ***Allowable Subject Matter***

10. Claim 24 is allowed over prior art.

11. Claims 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter: the prior art made of record fails to teach or fairly suggests in combination wherein the gateway element is defined by the second user as the initial destination during call setup and the gatekeeper poll a plurality of network elements to determine the location of the first user.

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**Conclusion**

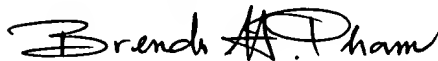
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

June 29, 2006

Brenda Pham

A handwritten signature in black ink that reads "Brenda A. Pham". The signature is stylized with a large, looped initial "B" and a clear "A" before the last name.

**BRENDA PHAM  
PRIMARY EXAMINER**